



MEMORANDUM

Agenda Item No. 7(P)(1)(D)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", is written over the printed name of George M. Burgess.

SUBJECT: Resolution authorizing the approval in concept, of a proposed agreement to be submitted at a later date with CSX Transportation, Inc., for the construction of a new railroad crossing at SW 143 Terrace, vicinity of SW 144 Avenue

RECOMMENDATION

It is recommended that the Board authorize the approval in concept, of a railroad crossing agreement to be submitted and entered into at a later date, by Miami-Dade County (County) and CSX Transportation, Inc. (CSX), for the future construction of a new railroad crossing at SW 143 Terrace, in the vicinity of SW 144 Avenue. The SW 143 Terrace construction, as well as, the railroad crossing is funded under the People's Transportation Plan.

BACKGROUND

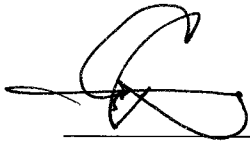
This project is part of a land exchange between the County and Country Villas Developers, LLC ("Country Villas"), property owner, to allow the opening of SW 143 Terrace to facilitate and improve traffic ingress and egress through the area to the north and south of the CSX railroad tracks.

Pursuant to Miami-Dade County Board of County Commissioners Resolution 022894, adopted October 8, 2002, the County agreed to exchange a parcel of land with Country Villas, in order to construct an additional access road for the Country Walk neighborhood on the land which Country Villas owns. Country Villas, in order to cooperate with the County, halted the development of the project for almost two years, while the County obtained approval for the land exchange and tried to obtain permission to open a railroad crossing from CSX. The County has now entered into a stipulation of parties with CSX and the Florida Department of Transportation for a Railroad Crossing. A final construction agreement will take CSX at least nine (9) months to prepare; therefore, in order to avoid further delays to Country Villas, staff recommends approving the Agreement in concept, so that Country Villas and the County can conclude the exchange of properties.

Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
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Pursuant to State and Federal regulations, as part of the process to permit the opening of a new crossing, there is a requirement to close three comparable existing street crossings; however, the inability of the County to obtain the required three crossing made it necessary to negotiate an alternative, in lieu of the closures. CSX has agreed to accept a contribution \$150,000.00 to the CSX Safety Program. The County estimates that the Construction Costs for the proposed railroad crossing will not exceed \$225,000.00. Therefore, the total commitment by the County to construct the railroad crossing including the signal devices, as well as, the monetary contribution to the CSX Safety Program is not to exceed \$375,000.00.

After the improvements are completed, the County will be responsible for the maintenance of the crossing surface on an as needed basis, and \$2,800.00 of annual railroad traffic control devices' maintenance fee in perpetuity.



Assistant County Manager

PEDRO G. HERNANDEZ



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(P)(1)(D)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7 (P) (1) (D)
10-7-03

RESOLUTION NO _____

RESOLUTION AUTHORIZING THE APPROVAL IN CONCEPT, OF A
PROPOSED AGREEMENT TO BE SUBMITTED AT A LATER DATE
WITH CSX TRANSPORTATION, INC., FOR THE CONSTRUCTION OF
A NEW RAILROAD CROSSING AT SW 143 TERRACE, VICINITY OF
SW 144 AVENUE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying
memorandum, a copy of which is incorporated herein by reference ,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves in
concept, a proposed agreement to be submitted at a later date between Miami-Dade County and
CSX Transportation, Inc., for the future construction of a new railroad crossing at SW 143
Terrace, in the vicinity of SW 144 Avenue, approval includes a negotiated contribution of
\$150,000.00 to CSX Transportation, Inc., in lieu of the required closures of three existing
crossings for permitting the opening of a new crossing and an estimated cost of construction of
the crossing and railroad traffic control devices not to exceed \$225,000.00 and authorizes the
County Manager to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson

Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales

Dorrian D. Rolle

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas Goldstein

